

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
167 ft. SWly of c/l of private
Road, 600 ft. SEly c/l Falls Rd.
800 Falls Road
7th Election District
3rd Councilmanic District
James E. Delozier, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-87-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a zoning variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (garage) to be located in the front yard in lieu of the required rear yard; a variance from Section 400.3 of the B.C.Z.R. to allow an accessory structure with a height of 23 ft. in lieu of the required 15 ft.; and a variance from Section 101 of the B.C.Z.R. to allow an accessory structure to be larger than the principle dwelling, all as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 36-127 (b)(1) of the Baltimore County Code. Based upon the information available, including the site plan and photos, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that

comply with the requirements of Section 107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners. However, the variance shall be so restricted to ensure continued compatibility with the residential character of the neighborhood.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of Oct., 1991 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (garage) to be located in the front yard in lieu of the required rear yard is hereby GRANTED; and

IT IS FURTHER ORDERED that a variance from Section 400.3 of the B.C.Z.R. to allow an accessory structure a height of 23 ft. in lieu of the required 15 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 101 of the B.C.Z.R. to allow an accessory structure to be larger than the principle dwelling, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. There shall be no service garage work performed within the structure or on the subject property at any time.

4. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 15, 1991

Mr. and Mrs. James E. Delozier, Jr.
800 Falls Road
Parkton, Maryland 21120

RE: Petition for Residential Zoning Variance
Case No. 92-87-A

Dear Mr. and Mrs. Delozier:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-1391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

92-87-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

Sec. 400.1 To allow an accessory structure to be located in the front yard in lieu of the required rear yard. 400.3 To allow an accessory structure a height of 23' in lieu of

the required 15' and Sec. 101 to allow an accessory structure to be larger than the principle dwelling. I/We are the legal owner(s) of the property which is the subject of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason: (Indicate hardship or practical difficulty)

See Attached

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of Oct., 1991, that the subject matter of this petition be posted on the property on or before the 8 day of Sept., 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of Oct., 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County.



ZONING COMMISSIONER OF BALTIMORE COUNTY
ORDER RECEIVED FOR FILING
Date _____
By _____

REVIEWED BY: _____ DATE: _____

Hardship or Practical Difficulty

92-87-A

① House is set back to rear of lot, well area only left in rear and garden. Proposed building would be in front of house but out of lawn area and set back in wooded area of lot.

② Number of vehicles and size vehicles owned. Requires larger building than house (example) 1960 F-600 antique, 11'6" high + 8' wide x 30' long. Also 2-1969 Chev SS Classics - 1-1957 Chev Bel Air Conv. ETC.

③ Building standard size 42'x60' with 12'x10' doors in gable end requires a 14' ceiling + built to Balt. Co. code would be 23' high.

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 800 Falls Rd.
Parkton, Md 21120
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

- ① House is set back to rear of lot, well area only left in rear
- ② Number of vehicles and size vehicles owned requires larger building than house.
- ③ Size doors requires 12'x10' size building (42'x60' standard)

Requires building height of 23'

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

James E. Delozier Jr.
AFFIANT (Handwritten Signature)
James E. Delozier Jr.
AFFIANT (Printed Name)



Virginia Kay Delozier
AFFIANT (Handwritten Signature)
Virginia Kay Delozier
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of August, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

James Edward Delozier Jr.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

August 21, 1991
DATE

Barry M. Chapman
NOTARY PUBLIC

My Commission Expires: Feb 1, 1992

ZONING VARIANCE
800 FALLS RD
PARKTON, MD 21120
EXHIBIT "A"

AS RECORDED IN DEED LIBER 7441, FOLIO 220
BEGINNING for the same at a point on the fifth or North 59 degrees 07 minutes West 660 foot line of the second part of land described in a Deed dated August 1, 1973, from H. Beale Rollins and wife to Parkco, Inc., and recorded among the Land Records of Baltimore County in Liber 5382 at folio 332, said point being 70.56 feet from the northerly and of said fifth line and in or near the center of an existing stream; thence leaving said stream and binding reversely on said fifth line (1) South 67 degrees 19 minutes 44 seconds East 381.12 feet, as now surveyed thence running for new lines of division the following two courses and distances, (2) South 08 degrees 12 minutes 10 seconds East 327.92 feet; (3) South 22 degrees 32 minutes 51 seconds East 87.87 feet to a point on the third or South 58 degrees 26 minutes East 634.53 foot line of the aforementioned second parcel, 79.90 feet from the southerly end thereof; thence binding reversely on said third line (4) North 66 degrees 36 minutes 54 seconds West, 435.20 feet, as now surveyed, to a point in or near the center of the aforementioned stream; thence running for new lines of division in or near the center of said stream the following eleven courses and distances, (5) North 01 degree 36 minutes 38 seconds West, 54.68 feet; (6) South 87 degrees 28 minutes 24 seconds East, 32.02 feet; (7) North 24 degrees 17 minutes 05 seconds East 71.51 feet; (8) North 18 degrees 17 minutes 22 seconds East 62.89 feet; (9) North 1 degree 08 minutes 07 seconds West 45.26 feet; (10) North 52 degrees 47 minutes 54 seconds West 66.02 feet; (11) North 66 degrees 57 minutes 13 seconds West, 47.51 feet; (12) North 3 degrees 54 minutes 02 seconds East 29.04 feet; (13) North 37 degrees 55 minutes 35 seconds West 45.07 feet; (14) North 16 degrees 46 minutes 40 seconds West, 28.63 feet; (15) North 45 degrees 46 minutes 00 seconds East, 10.76 feet to the point of beginning. Containing 2.685 acres of land more or less. The improvements thereon to be known as No. 800 Falls Road.

TOGETHER with the right to use a Right-of-Way in common with others thereon as more particularly described in a Right-of-Way Agreement dated October 22, 1987, and recorded among the Land Records of Baltimore County in Liber S.M. No. 7761 folio 742, from Edward Harry Enzor and Edna Tracey Enzor, his wife, unto James Edward Delozier, Jr., and Virginia K. Delozier, his wife, the Grantors herein.
BEGINNING FOR THE SAME AT A POINT AT THE END OF 362.82 FT. IN THE S 67°19'44"E 387.12 FT LINE THEREAFTER RUNNING ALONG THE E OF A DRIVEWAY NOW EXISTING N 61°10'32"E 36.75 FT. AND N 83°37'53"E 131.41 FT TO A POINT IN OR NEAR THE E OF AN OLD OPEN ROAD MAINTAINED BY THE ST OF MD. LEADING TO FALLS RD.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

recd

Chief Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

October 3, 1991

Ms. Doris E. Ghent
1104 Burke Road
Baltimore, MD 21220

RE: Item No. 110, Case No. 92-87-A
Petitioner: Doris E. Ghent
Petition for Residential Variance

Dear Ms. Ghent:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
31st day of August, 1991.

Arnold Jablon
DIRECTOR

Received By:
James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Doris E. Ghent, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 13, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: HELBING Property, Item No. 53
Smith Property, Item No. 64
McClure Property, Item No. 65
Boehnlein Property, Item No. 66
Marx Property, Item No. 68
Bule Property, Item No. 69
Fulaski Property, Item No. 70
Wollschlaeger Property, Item No. 72
Bray Property, Item No. 74
Graves Property, Item No. 75
Sylvia Property, Item No. 76
Long Property, Item No. 78
Pearl Property, Item No. 79
Casey Property, Item No. 80
Edwards Property, Item No. 81
Tyson Property, Item No. 85
Skidmore Property, Item No. 88
Williams Property, Item No. 89
Restivo Property, Item No. 90
Didier Property, Item No. 97
Wesolowski Property, Item No. 102
Griffin Property, Item No. 103
Burgwin Property, Item No. 104
Ghent Property, Item No. 110
Lingg Property, Item No. 111
Bates Property, Item No. 112
Bond Property, Item No. 115

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn
ITEM47/TXTROZ

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

SEPTEMBER 16, 1991

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DORIS E. GHENT
Location: #1104 BURKE ROAD
Item No.: 110 Zoning Agenda: SEPTEMBER 10, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

September 11, 1991

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #110, Zoning Advisory Committee Meeting of
September 10, 1991, Doris E. Ghent, E/S Burke Road, 106' N
Coldspring Road, (#1104 Burke Road), D-15, Private Sewer and
Public Water

COMMENTS ARE AS FOLLOWS:

Any permanent building structure must be a minimum of 20 feet from the septic system. The septic system must be functioning properly in order to approve any building permit.

SSF:mp
110ZNG/GWRMP

RECEIVED
SEP 12 1991
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: September 21, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for September 10, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 81, 102, 103, 104, 110, 111, 112, 114, and 115. Also, we have no comments for Case No. R 91-119.

For Item 106, comments will be made at the County Review Group meeting.

For Item 109, the County Review Group comments remain in effect.

For Item 109, comments will be reserved until the County Review Group meeting.

Robert W. Bowling
ROBERT W. BOWLING, P.E., CEM
Developers Engineering Division

RWB:s

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

August 27, 1991

James E. & Virginia Delozier, Jr.
800 Falls Road
Parkton, Maryland 21120

RE: CASE NUMBER: 92-87-A
LOCATION: 800 Falls Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 8, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is September 23, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,
James E. Delozier, Jr.
James E. Delozier, Jr.
Docket Clerk

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 27445th Jackson Rd. 2120 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____
 Plot book # 220 lot # _____ section # 1000
 OWNER: John Edward BELZIER & Mrs. K. W. WOODSON
Phone # 357-4974

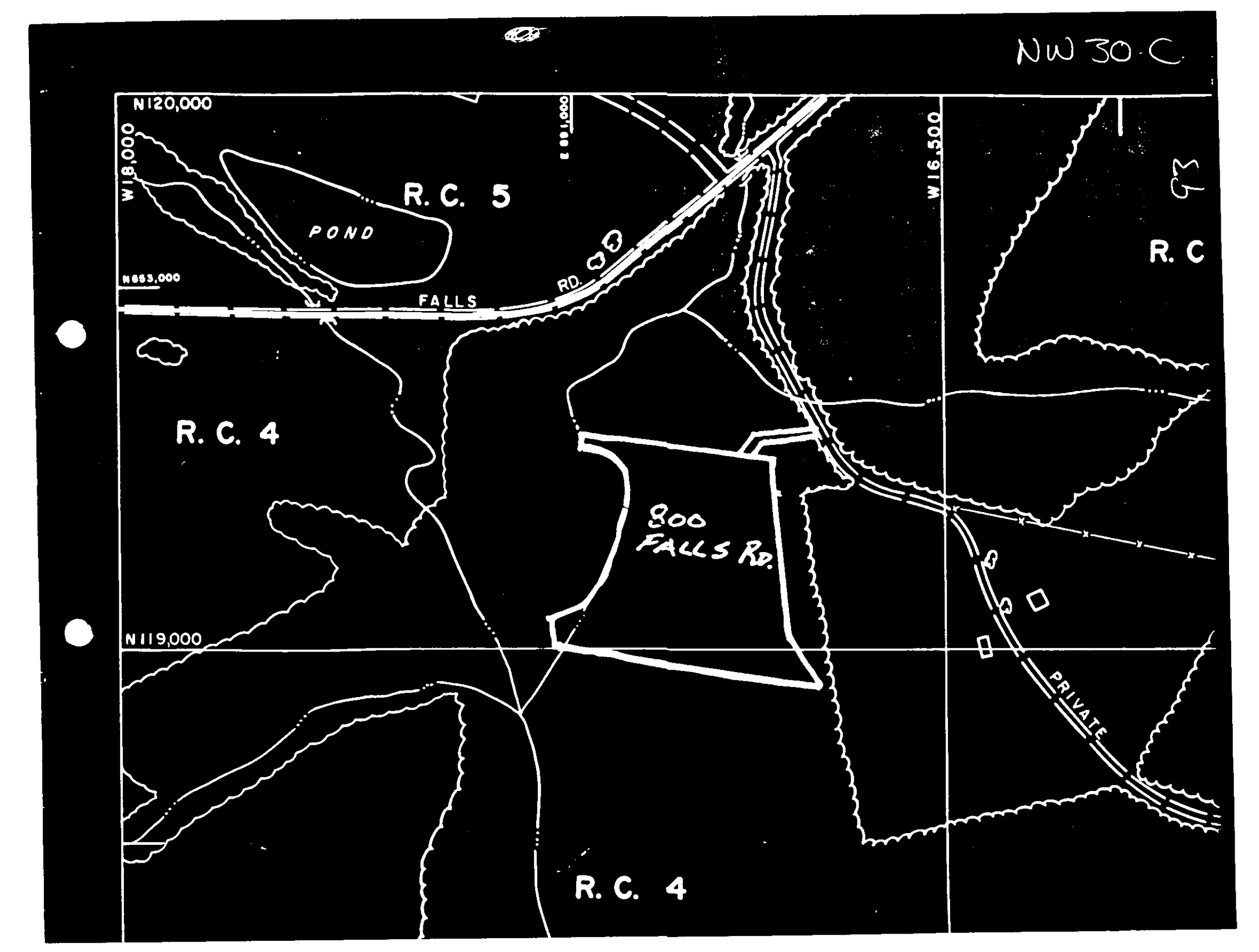
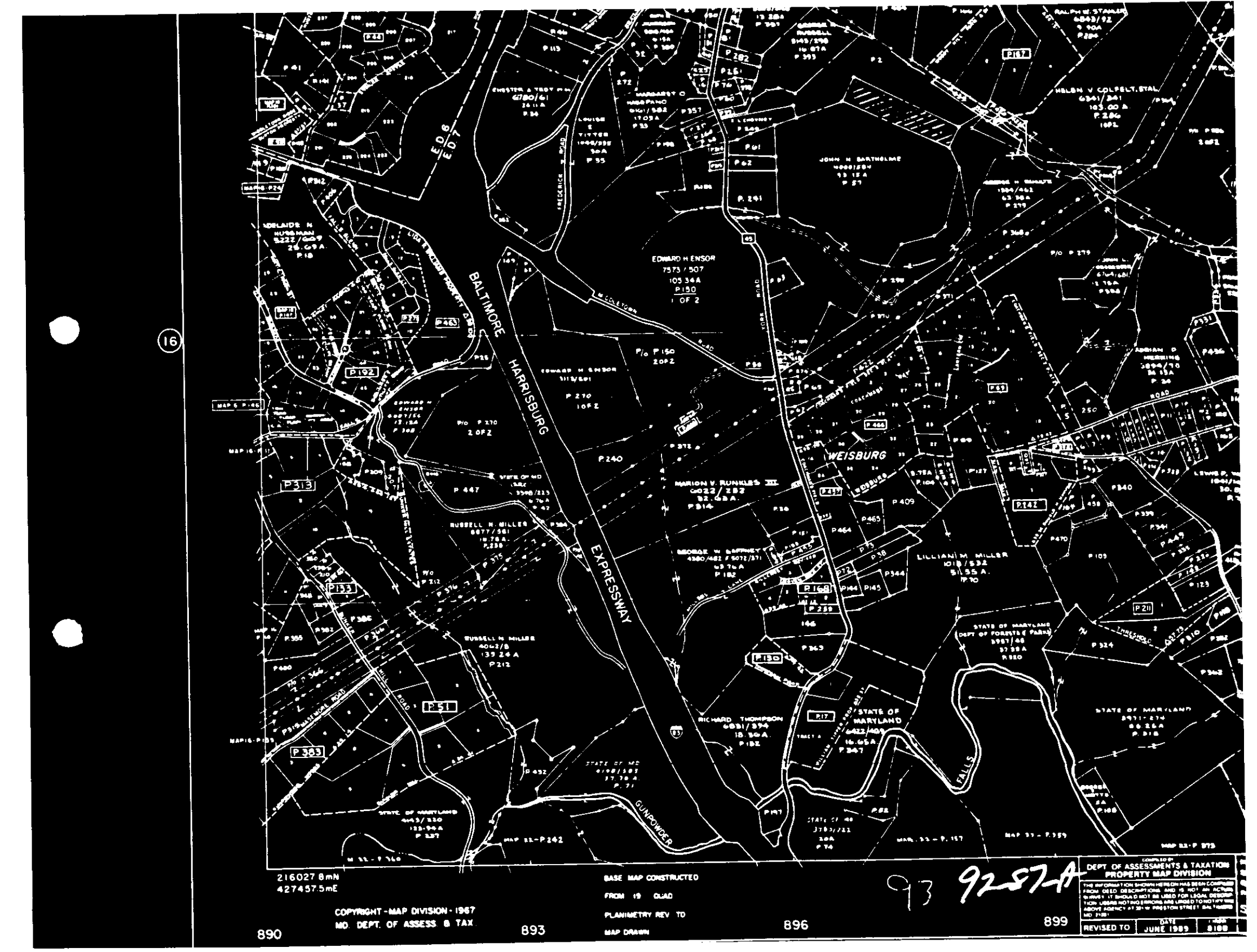
Scale of Drawing: 1" = 50' 92-87-A

North
 date: 3-16-71
 prepared by: M. H. Shore

LOCATION INFORMATION
 Councilmanic District: 3
 Election District: 7
 T-200' scale map#: N10 500
 Zoning: R.C. 4
 Lot size: 2.655 acres
116,958 square feet

SEWER: ☒ WATER: ☒
 Chesapeake Bay Critical Area: ☐
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
 reviewed by: _____ ITEM #: _____ CASE #: 93



CASE NUMBER 92-87-A

PETITIONER'S EXHIBIT # _____

VIEW FRONT OF STORAGE
SHED TO HOUSE BN. STAKE
BUCK

VIEW ACROSS DRIVEWAY
TO BLD. LOCATION
BARN. BUILDING IN CLEARING

VIEW FROM ROAD LOOKING
PRIVATE TO BLD. LOCATION

VIEW FROM PRIVATE TO
DRIVEWAY ENTRANCE

CASE NUMBER 92-87-A

PETITIONER'S EXHIBIT # _____

VIEW FROM HOUSE OUT
DRIVEWAY

VIEW LOOK UP DRIVEWAY
FROM ENTRANCE

VIEW FROM PRIVATE TO
DRIVEWAY ENTRANCE

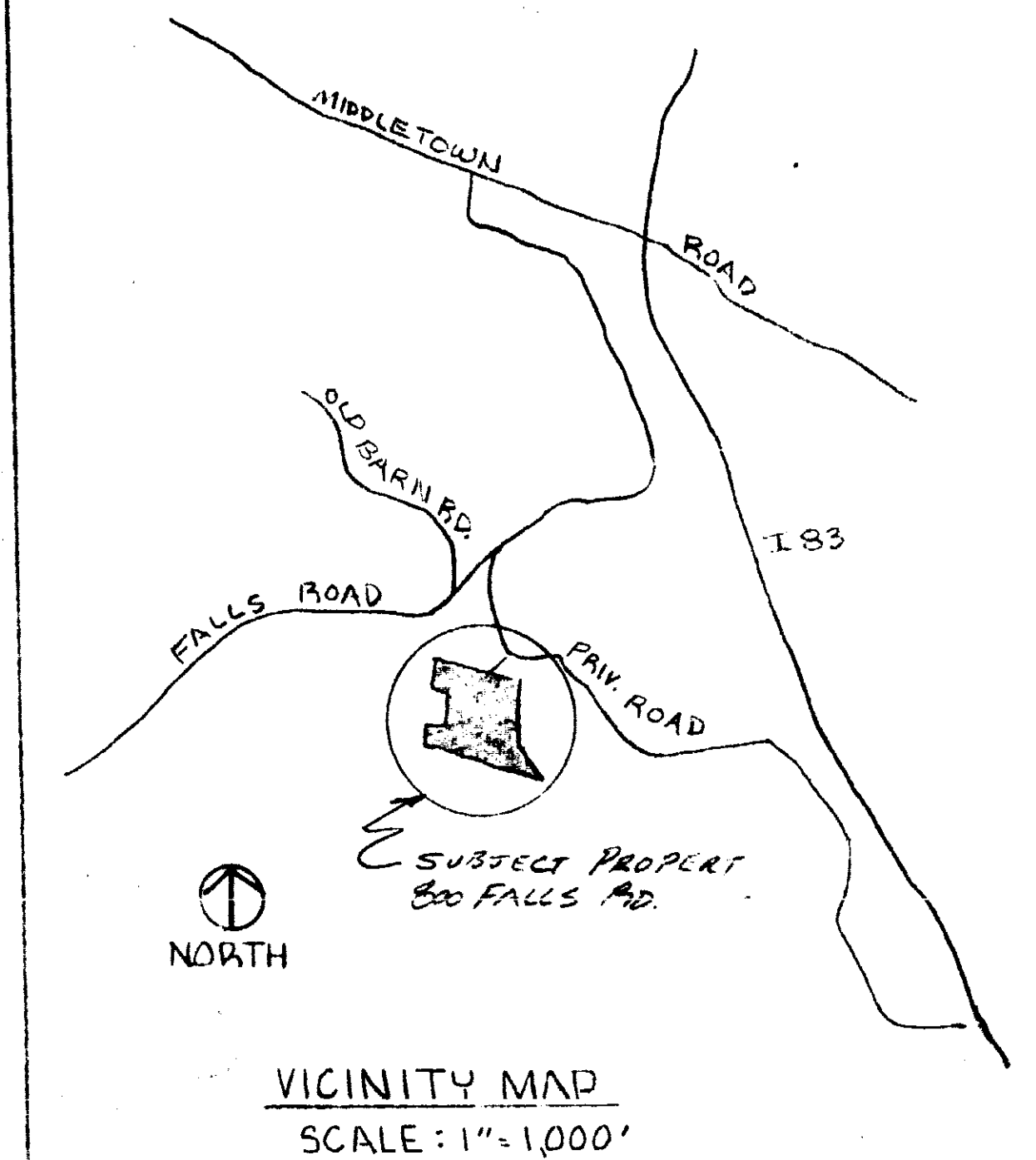
CURVE OF DRIVEWAY LEADING
IN TO BN. SIGHT

CASE NUMBER 92-87-A

PETITIONER'S EXHIBIT # _____

1960 FORD F-600 TRUCK
11' MA 34' LONG

PARKCO INC.
5382 / 339



LOCATION INFORMATION
COUNCILMANIC DISTRICT: 3
ELECTION DISTRICT: 7
1"=200' SCALE MAP: NW 30-C
ZONING: RC-4
LOT SIZE 2.685 ACRES 116,958 SQUARE FEET
SEWER ☐ PUBLIC ☒ PRIVATE ☒
WATER ☐ PUBLIC ☒ PRIVATE ☒
CHESAPEAKE BAY CRITICAL AREA ☐
PRIOR ZONING HEARINGS: NONE

PROPERTY ADDRESS: 800 FALLS RD PARKTON MD 21120
SUBDIVISION NAME: LIBER 7441 FOLIO NO 220 SECTION NO P209
OWNER: JAMES EDWARD DELOZIER & VIRGINIA K. DELOZIER HIS WIFE

P 158
GEORGE E. SPENCER JR.
7213 / 783

P 308
EDWARD H ENSOR, EDNA T. ENSOR
7573 / 507

P 267
RUSSELL N MILLER
HELEN R. MILLER
6693 / 59

P 212
RUSSELL N MILLER
HELEN R. MILLER
5924 / 799

P 313 BUNKER HILL ESTATES
LOT 8
JOHNE & MARY K. SANDROCK
6080 / 799

P 313 BUNKER HILL ESTATES
LOT 9
YEH CHIEN TUNG & LI HWA FAM
6025 / 541

P 209
7441 / 220

PROPOSED
42' x 60' x 22' H.
POLE BARN
(STORAGE)

EXISTING
48' x 33'
HOUSE

WELL AREA

SEPTIC AREA

FRONT

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

20' RIGHT OF WAY

PLAT TO ACCOMPANY PETITION FOR ZONING
VARIANCE ☒ SPECIAL HEARING ☐
DATE: 11-15-90
BY: [Signature]
DATE: 8-16-91
BY: [Signature]



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

WEST OF WISEBURG

N.W.
30-C

92-87-A

RECEIVED
MICROFILMED

93